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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gonsalves and Meng Art Unit: 1648
Serial No.: 10/803,063 Examiner: Not yet assigned
Filed: March 16, 2004 Customer No.: 21559
Title: RUPESTRIS STEM PITTING ASSOCIATED VIRUS NUCLEIC
ACIDS, AND THEIR USES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the enclosed Form PTO-1449. A copy of a search report from a corresponding European application is also enclosed. Copies of the following references from this search report are also enclosed:

Jelkmann, W., "Nucleotide Sequences of Apple Stem Pitting Virus and of the Coat Protein Gene of a Similar Virus from Pear Associated with Vein Yellow Disease and their Relationship with Potex- and Carlaviruses," *J. Gen. Virology* 75:1535-1542 (1994).

Walter and Cameron, "Double-Stranded RNA Isolated from Grapevines Affected by Rupestris Stem Pitting Disease," *Am. J. Enol. Vitic.*, 42(3):175-179 (1991).

Cavileer et al., "Nucleotide Sequence of the Carlavirus Associated with Blueberry Scorch and Similar Diseases," *J. Gen. Virology* 75:711-720 (1994).

Also enclosed is a copy of WO 98/52964.

Under 35 U.S.C. § 120, this application relies on the earlier filing date of application serial number 09/568,189, now U.S. Patent No. 6,716,967, which was filed on May 9, 2000; and of application serial number 09/081,320, now U.S. Patent No. 6,093,544, which was filed on May 19, 1998. The remaining references listed on the enclosed Form PTO-1449 were submitted to and/or cited by the Office in the prior applications and, therefore, copies of these references are not provided for this application. Also, in accordance with 37 C.F.R. § 1.98(a)(2)(ii), copies of U.S. patents are not provided.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

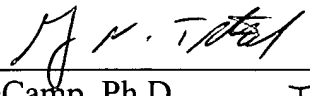
This statement is being filed before the receipt of a first Office Action on the merits.

If there are any charges or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: 3 November 2004



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SUBSTITUTE FORM PTO-1449
(MODIFIED)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Attorney Docket No.

07678/035007

Serial No.

10/803,063

Applicant

Gonsalves and Meng

Filing Date

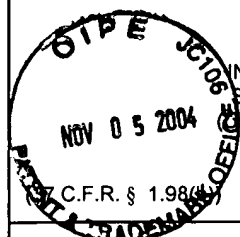
March 16, 2004

Group

1648

IDS Filed

November 3, 2004

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use several sheets if necessary)

C.F.R. § 1.98(a)

U.S. PATENTS

Examiner's Initials	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date (If Appropriate)
	6,716,967	April 6, 2004	Gonsalves et al.			
	6,093,544	July 25, 2000	Gonsalves et al.			
	5,503,999	April 2, 1996	Jilka et al.			
	5,328,825	July 12, 1994	Warren III et al.			
	5,322,770	June 21, 1994	Gelfand			
	5,288,611	February 22, 1994	Kohne			
	5,196,305	March 23, 1993	Findlay et al.			
	5,106,727	April 21, 1992	Hartley et al.			
	5,104,792	April 14, 1992	Silver et al.			
	5,043,272	August 27, 1991	Hartley			
	4,480,040	October 30, 1984	Owens et al.			
	4,358,535	November 9, 1982	Falkow et al.			

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

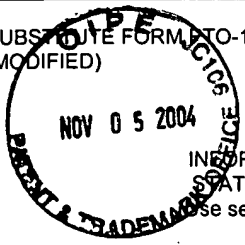
Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation (Yes/No)
	WO 98/52964	Nov. 26, 1998	WIPO			
	WO 97/37037	October 9, 1997	WIPO			
	WO 96/21034	July 11, 1996	WIPO			Abstract
	0 571 911 A2	December 1, 1993	Europe			

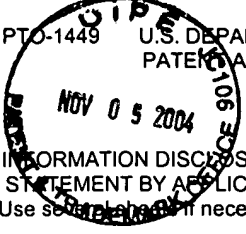
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)

	Azzam et al., "Detection of dsRNA in Grapevines Showing Symptoms of Rupestris Stem Pitting Disease and the Variabilities Encountered," <i>Plant Disease</i> 75:960-964, 1991.
	Azzam et al., "Detection of dsRNA from Cleistothecia and Conidia of the Grape Powdery Mildew Pathogen, <i>Uncinula necator</i> ," <i>Plant Disease</i> 75(9):964-967, 1991.
	Beachy et al., "Coat Protein-Mediated Resistance Against Virus Infection," <i>Annu. Rev. Phytopathol.</i> 28:451-474, 1990.
	Cavileer et al., "Nucleotide Sequence of the Carlavirus Associated with Blueberry Scorch and Similar Diseases," <i>J. Gen. Virology</i> 75:711-720 (1994).

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.

SUBSIDIARY FORM PTO-1449 (MODIFIED)  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 C.F.R. § 1.98(b))	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket No. Serial No. Applicant Filing Date Group IDS Filed	07678/035007 10/803,063 Gonsalves and Meng March 16, 2004 1648 November 3, 2004
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)			
Coding et al., <u>Monoclonal Antibodies: Principles and Practice</u> , 3 rd ed., Harcourt Brace and Company Publishers, pp. 62-62, 141-180, and 465-475, 1996.			
Credi, "Characterization of Grapevine Rugose Wood Disease Sources from Italy," <i>Plant Disease</i> 81(11):1288-1292, 1997.			
Jelkmann, W., "Nucleotide Sequences of Apple Stem Pitting Virus and of the Coat Protein Gene of a Similar Virus from Pear Associated with Vein Yellowing Disease and their Relationship with Potex- and Carlaviruses," <i>J. Gen. Virology</i> 75:1535-1542 (1994).			
Krastanova et al., "Transformation of Grapevine Rootstocks with the Coat Protein Gene of Grapevine Fanleaf Nepovirus," <i>Plant Cell Reports</i> 14:550-554, 1995.			
Le Gall et al., "Agrobacterium-Mediated Genetic Transformation of Grapevine Somatic Embryos and Regeneration of Transgenic Plants Expressing the Coat Protein of Grapevine Chrome Mosaic Nepovirus (GCMV)," <i>Plant Science</i> 102:161-170, 1994.			
Ling et al., "The Coat Protein Gene of Grapevine Leafroll Associated Closterovirus-3: Cloning, Nucleotide Sequencing and Expression in Transgenic Plants," <i>Arch. Virol.</i> 142:1101-1116, 1997			
Meng et al., "Nucleotide Sequence and Genomic Organization of Grapevine <i>Rupestris</i> Stem Pitting Associated Virus and Its Detection by RT-PCR," <i>Phytopathology</i> 87:S65-S66, 1997.			
Meng et al., "Rupestris Stem Pitting of Grapevines: Nucleotide Sequence, RT-PCR Detection, and Viral Origin of Associated DsRNA," 12 th Meeting of the International Council for the study of Viruses and Virus-Like Diseases of the Grapevine, pp. 35-36, September-October 1997.			
Meng et al., "Nucleotide Sequence and Genome Structure of Grapevine <i>Rupestris</i> Stem Pitting Associated Virus-1 Reveal Similarities to Apple Stem Pitting Virus," <i>Journal of General Virology</i> 79:2059-2069, 1998.			
Minafra et al., "Detection of an Unusual RNA in Grapevines Indexing Positive for <i>Rupestris</i> Stem Pitting," 12 th Meeting of the International Council for the Study of Viruses and Virus-Like Diseases of the Grapevine (ICVG) Extended Abstracts 43, Sept. 28 - Oct. 2, 1997.			
Monette et al., "The Use of In Vitro Cultures in the Investigation of Grapevine Virus-like Diseases," <i>Canad. J. Plant Pathol.</i> 12(3):337, 1990.			
Monette et al., "Double-Stranded RNA from <i>Rupestris</i> Stem Pitting-Affected Grapevines," <i>Vitis</i> 28:137-144, 1989.			
Salati et al., "Detection of Grapevine Viruses Associated with Leafroll, Corky Bark, and <i>Rupestris</i> Stem Pitting Using F(ab') ₂ - ELISA and dsRNA Techniques," <i>Am. J. Enol. Vitic.</i> 45(3):372, 1994.			
Schell et al., "Transformation of 'Nova' Tangelo with the Coat Protein Gene of Citrus Tristeza Closterovirus," <i>Phytopathology</i> 84:1076, 1994.			
Stobbs and Van Schagen, "Survey for <i>Rupestris</i> Stem-Pitting and Corky Bark Diseases of Grapevine in the Niagara Peninsula, Ontario," <i>Canadian Plant Disease Survey</i> 75:19-21, 1995.			
Walter and Cameron, "Double-Stranded RNA Isolated from Grapevines Affected by <i>Rupestris</i> Stem Pitting Disease," <i>Am. J. Enol. Vitic.</i> , 42(3):175-179 (1991).			
Wetzel et al., "A Highly Sensitive Immunocapture Polymerase Chain Reaction Method for Plum Pox Potyvirus Detection," <i>Journal of Virological Methods</i> 39:27-37, 1992.			
Zhang et al., "Nucleotide Sequence and RT-PCR Detection of a Virus Associated with Grapevine <i>Rupestris</i> Stem-Pitting Disease," <i>Phytopathology</i> 88:1231-1237, 1998.			
GenBank Accession AF026278 "Grapevine <i>Rupestris</i> Stem Pitting Associated Virus," (submitted 22-SEP-1997).			
GenBank Accession AF057136 " <i>Rupestris</i> Stem Pitting Associated Virus," (submitted 03-APR-1998).			
		DATE CONSIDERED	
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.			

SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use separate sheet if necessary) (37 C.F.R. § 1.98(b))		Attorney Docket No. 07678/035007 Serial No. 10/803,063 Applicant Gonsalves and Meng Filing Date March 16, 2004 Group 1648 IDS Filed November 3, 2004
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)		
	MPSRCH - PCT - US98 - 10391 - 41.rng	
	MPSRCH - PCT - US98 - 10391 - 42.rng	
	MPSRCH - PCT - US98 - 10391 - 43.rng	
	MPSRCH - PCT - US98 - 10391 - 44.rng	
	MPSRCH - PCT - US98 - 10391 - 45.rng	
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